IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 12707 of 2005

Between:

S. Murali S/o. Shekhar, 45 Yrs,

R/o. 3/301, Laxmipuram, Nellore.

..... PETITIONER

AND

The Deputy Transport Commissioner and Secretary, Regional Transport Authority, Nellore District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus directing the Respondent to ascertain the need in the village for the town service route Vedayalpalem to Jagadevipet Village and consequently direct the Respondent to grant permit on the said route as per Section 80(3) (i) & (ii) of Motor Vehicles Act, and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.K.V.CHALAPATHI RAO

Counsel for the Respondent : GP FOR TRANSPORT

The Court made the following :

THE HON'BLE MR. JUSTICE S. ANANDA REDDY

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W.P. No. 12707 of 2005

O R D E R:

This Writ Petition is filed by the petitioner seeking writ of mandamus directing the respondent to ascertain the need in the village for the town service route – Vedayalpalem to Jagadevipet village, and consequently to grant permit on the said route as per Sec.80(3)(i) & (ii) of Motor Vehicles Act, 1988 (hereinafter referred to as 'the Act').

2. According to the petitioner he is an existing permit holder, having a stage carriage permit valid up to 30.06.2006 for the above town service route, which the petitioner got by way of transfer. It is stated that between Jagadevipet village and the Cross-roads, the distance is only 0.6 Kms. As there used to be requests from the villagers and on humanitarian grounds, the petitioner used to drop the passengers without charging any extra fare for dropping them at Jagadevipet village. In that process, the Motor Vehicle Inspector seized the vehicle, though the same was released later on the representation of the petitioner. Therefore, the petitioner sought for permission and made a representation to the Secretary, RTA for extension of route covering the said distance of 0.6 Kms. For such variation, the petitioner made a representation for passing necessary orders, on 30.11.2004 to the RTA. But, however, no orders have been passed so far. Therefore, the petitioner has come up with the present Writ Petition seeking a direction to the respondent.

3. Heard both sides and considered the material on record.

4. As the petitioner has made his representation on 30.11.2004 in which no orders

have been passed by the competent authority, the Writ Petition is disposed of directing the respondent to pass appropriate orders on the representation of the petitioner expeditiously, preferably within a period of four weeks from the date of receipt of the order. No costs.

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S. Ananda Reddy, J.

Dt. 16.06.2005

Kvh

To

1. The Deputy Transport Commissioner and Secretary, Regional Transport Authority, Nellore District.

2. Two CD copies.